

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BONNIE FISH, et al., Plaintiffs, v. GREATBANC TRUST COMPANY, et al., Defendants.	Case No. 09 cv 1668 Judge Jorge L. Alonso Magistrate Judge Maria Valdez
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**DEFENDANTS LEE MORGAN’S, ASHA MORAN’S, AND CHANDRA ATTIKEN’S
NOTICE REGARDING PLAINTIFFS’ TRIAL EXHIBITS**

As explained during the October 28, 2015 hearing, Defendants Lee Morgan, Asha Moran, and Chandra Attiken (the “Individual Defendants”) believe that the remaining exhibits on Plaintiffs’ Trial Exhibit List that are not Joint Exhibits are potentially objectionable at trial at least pursuant to Federal Rule of Evidence 802, depending on the manner in which they are used and the purposes for which Plaintiffs seek to have them admitted into evidence. Outside of the context of trial, the Individual Defendants do not believe they can accurately state whether they will or will not object to a particular exhibit on hearsay grounds (though Individual Defendants reiterate that they do not intend to object unless necessary).

In order to limit the number of potential objections, however, and in the spirit of the Court’s desire to limit evidentiary objections at trial, the Individual Defendants have reviewed Plaintiffs’ Trial Exhibit List and identified the following potentially objectionable documents that the Individuals Defendants will not object to at trial of this matter. The Individual Defendants plan to meet and confer with Plaintiffs and may add additional documents to this list.

PX-0024	MOR000162 – 177	06/01/00	Employee Stock Ownership Plan Summary Plan Description Effective June 2000	360
PX-0057	TAC-CC-0231374 - 76	12/21/01	E-mail from Mizen re: Competencies	480
PX-0064	D&P_A0007935	01/01/02	Chart of Creative Memories upper management	445
PX-0068	MOR0013896 - 939	02/28/02	E-mail from Morgan re: Too Much of Lee's stuff	379
PX-0073	MOR0013782 - 95	05/21/02	E-mail from Morgan re: More Lee's Stuff	387
PX-0076	MOR0013713	08/20/02	E-mail from Morgan re: Antioch Company info from Lee Morgan	388
PX-0098	MOR0010097 - 100	01/01/03	ESOP Distribution Rules for Terminations January 1, 2003 - September 30, 2006	349
PX-0100	DT2724 - 26	01/10/03	E-mail from Holthaus re: sub S/ESOP "summit"	297
PX-0102	DT2375	01/21/03	Sub S/ESOP "Summit" January 21, 2003 Agenda	298
PX-0108	HL001690	03/01/03	Resume of Chandra Attiken	401
PX-0128	TAC-CC-0445715 - 17	06/12/03	Memo, Re: June 12 Meeting Notes	106
PX-0133	TAC-CC-0445758 - 59	06/23/03	E-mail from Morrison re: ESOP Trustee Alternatives	230
PX-0155	DT1724	08/02/03	E-mail from Holthaus re August 6th Conference Call	6
PX-0172	2407	08/14/03	E-mail from Blair re: 100% ESOP Due Diligence - IMPORTANT	232

PX-0174	TAC-CC-0261822 - 24	08/15/03	E-mail from Blair re: Due Diligence Meetings Thursday August 21 & Friday August 22-FOLLOW-UP	488
PX-0191	GBT03516	08/25/03	E-mail from Williams re: Information Request List	200
PX-0192	HL008274	08/25/03	Email from Williams re Additional information request	620
PX-0212	002331-002336	09/04/03	E-mail from Blair re: Due Diligence with attachments	233
PX-0213	HL006470-86	09/04/03	Email from Blair re Projections	624
PX-0238	JPMC0001 - 48	09/27/03	Credit Analysis Memorandum	478
PX-0262	HOSKINS 0051-72	10/13/03	Review of Original Proposed Transaction for the Antioch Company to GreatBanc Trust Company	78
PX-0265	D&P_A005611	10/13/03	E-mail from Morrison re: Antioch/ESOP Transaction Proposal	124
PX-0266	D&P_A005613 - 14	10/13/03	E-mail from Williams re: Antioch Proposals	125
PX-0268	D&P_A005615; D&P_A000039	10/14/03	E-mail from Marchetti Re: GreatBanc Trust Company	84
PX-0269	TAC-CC-0278977 -80	10/14/03	E-mail from Blair re: GreatBanc Trust Company	239
PX-0272	D&P_A005621	10/15/03	E-mail from Bloom re: Antioch Proposal	126
PX-0276	D&P_A005630	10/16/03	E-mail Nancy Blair re: Current Proposal	14
PX-0279	D&P_A005630	10/16/03	E-mail from Blair re: Current Proposal	127
PX-0284	TAC-CC-0410938 - 39	10/17/03	E-mail from Blair re: Current Proposal	241
PX-0285	TAC-CC-0410933 - 35	10/18/03	E-mail from Blair re: Current Proposal	209
PX-0291	TAC-CC-0196119	10/21/03	E-mail from Blair re: The latest	210
PX-0293	D&P_A005633-34	10/22/03	E-mail from Morrison RE: Current Proposal	15

PX-0294	D&P_A005635-36	10/22/03	E-mail from Marchetti re: Current Proposal	16
PX-0297	D&P_A005633 - 34	10/22/03	E-mail from Morrison re: Current Proposal	128
PX-0298	D&P_A005635 - 36	10/22/03	E-mail from Morrison re: Current Proposal	129
PX-0300	D&P_A006368 - 69	10/22/03	E-mail from Williams re: FMV Adjustment for Tax Savings	243
PX-0305	HL000871	10/26/03	E-mail from Blair re: Finalized Deal Terms	245
PX-0307	HOSKINS 0073-151	10/27/03	Preliminary Review of Proposed Recapitalization of the Antioch Company presentation to GreatBanc	79
PX-0325	TAC-CC-0412467-68	11/04/03	E-mail from Blair, re: Tender Offer-Outstanding Items	65
PX-0336	MOR0048931 - 33	11/08/03	E-mail from Morrison re: ESOP Distribution Outline	212
PX-0337	MM0021038 - 39	11/08/03	E-mail from Morrison to Ng re RE: Antioch, ESOP amendment	501
PX-0341	MOR0053058 & MOR0053377 - 86	11/10/03	Email from Matthews re: Tender Offer, Sub Note, Warrant and Equity Holders Agreement-- Revised Drafts	504
PX-0342	HL000736-37	11/10/03	Email from Jackson re Tender Offer, Sub Note, Warrant and Equity Holders Agreement— Revised Drafts	629
PX-0347	TAC-CC-0235706	03/02/07	Minutes of ESOP Advisory Committee via Teleconference	403
PX-0357	1997	11/18/03	E-mail from Mason-Sebastian re: 100% ESOP Video Conference Meeting	405
PX-0365	MOR001421-22	11/24/03	E-mail from Hansen re: Letter to Potential Retirees	214
PX-0393	N/A	12/05/03	Christopher Mino Voting Instruction Form	187

PX-0395	GB-SOL0001530 - 35	12/05/03	E-mail from Ackerman to Marchetti re FW: Antioch Closing Checklist. Attachment: WDC99_823490_3.DOC	502
PX-0397	MWE-0066705 - 07	12/08/03	Memo from Ackerman re: Antioch Company Tender Offer -- Legal Opinions Requested by ESOP Trustee	509
PX-0400	HOSKINS 0044-47	12/09/03	Memorandum to GreatBanc Trust Company, from LSB/JAW, Re: Update to Preliminary Review of Proposed Recapitalization of the Antioch Company	77
PX-0420	MOR0043567	12/16/03	Attiken's ESOP transaction letter	402
PX-0421	2477	12/16/03	Letter from Morgan re: ESOP transaction and funds wired to Mizen	487
PX-0422	MM0009071 - 77	12/16/03	Email from Matthews re: ESOP Amendment	505
PX-0424	MM0019030	12/16/03	E-mail from Holthaus re: Lees cashflow	550
PX-0425	BD-SOL-0001000	12/18/03	E-mail from Lee Morgan to Marilyn Marchetti, Re: Antioch ESOP Trustee	35
PX-0453	PRA00019	01/01/04	Retirees over \$1 million and Terminees	260
PX-0461	MOR001928 - 29	01/16/04	The Antioch Company Monthly Narrative	216
PX-0479	MOR0048573 - 48736	04/15/04	Lee's Monthly Narrative	174
PX-0497	MOR001930 - 31	07/15/04	Lee's Monthly Narrative	139
PX-0498	ASP000307	07/22/04	Blair resignation letter	227
PX-0499	ASP000303 - 07	07/22/04	Minutes of the Antioch Company Board of Directors Meeting	228
PX-0522	CHA00003 - 4	11/19/04	Fax of Bank One Middle Market Large Deal Credit Approval Package	477

PX-0545	MOR0048655 - 72	04/21/05	2004 Highlights Presentation	138
PX-0564	RTC00046 - 53	08/12/05	Revolving Credit Loan Agreement	330
PX-0618	HOSKINS 0001	07/10/06	Resignation letter to ESOP committee from Hoskins	38
PX-0620	MWE-0101268	07/13/06	Letter re: Transfer of Assets	522
PX-0622	HOSKINS 0002	08/01/06	Hoskins Resignation Letter to Lee, Asha & Chandra	47
PX-0625	TAC-CC-0220525 - 47	08/17/06	Offer to Exchange	289
PX-0629	HOSKINS 0003	09/14/06	Resignation letter to Antioch's ESOP committee, from Hoskins	48
PX-0630	HL067995 - HL068004	09/15/06	Acceptance by Trustee	295
PX-0689	MOR0048741	04/26/07	April/May E-O Meetings Agenda	137
PX-0700	CP-002869	06/28/07	E-mail from Pollack re: Meeting follow up	527
PX-0702	CP-003744 - 52	06/29/07	E-mail from Pollack re: Staffing Information	526
PX-0712	RTC00001 - 03	08/23/07	Letter from Reliance	322
PX-0713	TAC-CC-0445635	08/27/07	E-mail from Morgan re: Engagement agreement continued	529
PX-0729	CP-000928 - 29	11/09/07	E-mail from Pollack re: Response to Marsha's letter	544
PX-0779	TAC-CC-0330992	05/07/08	E-mail from Wilson re: My Future Plans	294
PX-0810	EVL03821	04/23/09	Minutes of the Trust Committee of the Board of Directors of Evolve	700
PX-0824	N/A	01/22/10	Hardman's Responses to Defendants' First Set of Interrogatories	184
PX-0828	N/A	12/09/10	Woosley's Supplemental Responses to Defendants' First Set of Interrogatories	154

PX-0829	N/A	12/09/10	Hardman's Supplemental Responses to Defendants' First Set of Interrogatories	185
PX-0830	N/A	12/09/10	Plaintiff Christopher Mino's Supplemental Responses to Defendants' First Set of Interrogatories	188
PX-0831	N/A	12/15/10	Woosley's Responses to Defendants' Second Set of Interrogatories	155
PX-0832	N/A	12/15/10	Hardman's Responses to Defendants' Second Set of Interrogatories	186
PX-0833	N/A	12/15/10	Plaintiff Christopher Mino's Responses to Defendants' Second Set of Interrogatories	189
PX-0852	N/A	06/11/12	A. Moran's LinkedIn profile as printed on 6/11/12	443
PX-0860	N/A	01/13/15	Mizen's LinkedIn Profile	479
PX-0941	HL001681 - 682	N/A	Lee Morgan Curriculum Vitae	378
PX-0946	MOR0015178 - 82	00/00/2003	Quarterly Reports to Employee Owners Speaking Points	161

The Individual Defendants reserve the right to object at trial to any of the remaining exhibits on Plaintiffs' Trial Exhibit List that are not listed above or included on the Parties' Joint Exhibit List, depending on the manner in which they are used and the purposes for which Plaintiffs seek to have them admitted into evidence. The Individual Defendants further reserve the right to amend this list should any exhibit have been inadvertently identified in the list above.

Respectfully submitted,

/s/Michael L. Scheier

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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2015, I caused true and correct copies of the foregoing to be filed electronically using the Court's CM/ECF system and to thereby be served upon all registered participants identified in the Notice of Electronic Filing in this matter on this date. This document is available for viewing and downloading on the CM/ECF system.

/s/ Michael L. Scheier

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